

AMENDED IN ASSEMBLY APRIL 26, 2010

AMENDED IN ASSEMBLY APRIL 12, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1771

Introduced by Assembly Member Mendoza
(Principal coauthor: Assembly Member Nielsen)
(Principal coauthor: Senator Dutton)
(Coauthor: Assembly Member Salas)

February 9, 2010

An act to amend Section 2807 of the Penal Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1771, as amended, Mendoza. Public contracts: Prison Industry Authority.

Existing law establishes the Prison Industry Authority within the Department of Corrections and Rehabilitation. Existing law provides that the authority is authorized and empowered to operate industrial, agricultural, and service enterprises in order to provide products and services needed by the state. Existing law requires that state agencies purchase Prison Industry Authority products, make maximum utilization of these products, and consult with the staff of the authority to develop new products and adapt existing products to meet their needs.

This bill would provide that these requirements shall not restrict state agencies from entering into *contracts or* purchase orders of \$25,000 or less with California certified small businesses, microbusinesses, or disabled veteran business enterprises for products provided at a lower price than the price available from the Prison Industry Authority.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2807 of the Penal Code is amended to
2 read:
3 2807. (a) The authority is hereby authorized and empowered
4 to operate industrial, agricultural, and service enterprises that will
5 provide products and services needed by the state, or any political
6 subdivision thereof, or by the federal government, or any
7 department, agency, or corporation thereof, or for any other public
8 use. Products may be purchased by state agencies to be offered
9 for sale to inmates of the department and to any other person under
10 the care of the state who resides in state-operated institutional
11 facilities. Fresh meat may be purchased by food service operations
12 in state-owned facilities and sold for onsite consumption.
13 (b) All things authorized to be produced under subdivision (a)
14 shall be purchased by the state, or any agency thereof, and may
15 be purchased by any county, city, district, or political subdivision,
16 or any agency thereof, or by any state agency to offer for sale to
17 persons residing in state-operated institutions, at the prices fixed
18 by the Prison Industry Authority. State agencies shall make
19 maximum utilization of these products, and shall consult with the
20 staff of the authority to develop new products and adapt existing
21 products to meet their needs.
22 (c) Notwithstanding subdivision (b), the requirements imposed
23 on state agencies to purchase Prison Industry Authority products,
24 make maximum utilization of these products, and consult with the
25 staff of the authority to develop new products and adapt existing
26 products to meet their needs shall not restrict state agencies from
27 entering into *contracts or* purchase orders of twenty-five thousand
28 dollars (\$25,000) or less with California certified small businesses,
29 microbusinesses, or disabled veteran business enterprises, as
30 defined in Section 14837 of the Government Code. This
31 subdivision shall only apply to contracts for products provided at
32 a lower price than the price available from the Prison Industry
33 Authority.

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